

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DOW CHEMICAL COMPANY,

Plaintiff,

Case Number 07-12012-BC
Honorable Thomas L. Ludington

v.

J. PEDRO REINHARD,
ROMEO KREINBERG,

Defendants.

-and-

J. PEDRO REINHARD,
ROMEO KREINBERG,

Counterclaimants,

v.

DOW CHEMICAL COMPANY,
ANDREW N. LIVERIS,

Counterdefendants.

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ORDER DIRECTING SUPPLEMENTAL BRIEFING

On August 14, 2007, the parties stipulated to entry of a protective order and subsequently filed a variety of documents under seal. On January 16, 2008, Dow Chemical Company (Dow Chemical) filed a motion challenging certain of Romeo Kreinberg's confidentiality designations. On January 22, 2008, Kreinberg filed a motion to unseal his third party complaint. (His third party complaint against third-party J.P. Morgan Chase and Company was dismissed on February 20, 2008.) On March 12, 2008, Dow Chemical filed a motion challenging certain of J. Pedro Reinhard's confidentiality designations. A hearing is scheduled for these three motions, as well as a separate

motion, on April 30, 2008.

In the time intervening between the hearing of these motions and the parties' filing of them, as well as subsequent to the entry of the protective order, the United States District Court for the Eastern District of Michigan amended its local rules. As the parties are doubtless aware, on April 1, 2008, the amendments to E.D. Mich. LR 5.3 and 26.2 took effect. Additionally, the Court enacted a new rule, E.D. Mich. LR 26.4. In light of the amendment of the local rules, the Court will direct the parties to provide supplemental briefing on what effect, if any, the amendments to the local rules have on Dow Chemical's motions challenging Reinhard's and Kreinberg's confidentiality designations and on Kreinberg's motion to unseal his third-party complaint.

Accordingly, it is **ORDERED** that the parties are **DIRECTED** to provide **SUPPLEMENTAL BRIEFING** on what effect, if any, the amendments to E.D. Mich. LR 5.3, 26.2, and 26.4 have on Dow Chemical's motions challenging Reinhard's and Kreinberg's confidentiality designations and on Kreinberg's motion to unseal his third-party complaint. The parties' supplemental briefs shall not exceed **ten pages** and shall be filed on or before **April 23, 2008**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: April 14, 2008

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on April 14, 2008.

s/Tracy A. Jacobs
TRACY A. JACOBS